

ASSEMBLY BILL

No. 441

Introduced by Assembly Member Frazier

February 13, 2017

An act to add Section 65850.8 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 441, as introduced, Frazier. Land use: zoning regulations: farm to table cafes.

This Planning and Zoning Law authorizes the legislative body of a city or county to adopt ordinances regulating zoning within its jurisdiction, as specified.

This bill would prohibit a zoning ordinance of a city, county, or city and county from prohibiting an agricultural producer from operating a farm to table cafe, as defined.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 65850.8 is added to the Government
- 2 Code, to read:
- 3 65850.8. (a) A zoning ordinance of a city, county, or city and
- 4 county, shall not prohibit an agricultural producer from operating
- 5 a farm to table cafe.
- 6 (b) For the purposes of this section, a “farm to table cafe” means
- 7 an area not to exceed 1750 square feet within a farm area, which
- 8 has no more than 40 seats, which serves farm products and value

1 added farm products as its primary food offerings. Where there is
2 an existing farm market or farm stand, the farm to table cafe shall
3 not exceed the maximum size of the permitted farm market or farm
4 stand and shall have no more than 40 seats.
5 (c) This section does not affect any state or local laws related
6 to food safety.

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